

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 134, between lines 41 and 42, begin a new paragraph and
2 insert:
3 "SECTION 140. IC 6-1.1-29-1.5, AS ADDED BY P.L.224-2007,
4 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 1.5. (a) On January 1, 2009, there is
6 established in each county a county board of tax and capital projects
7 review. Except as provided by subsections **(b)(6), (b)(7), ~~(b)(8), (c)(6),~~**
8 **(c)(7), ~~(c)(8),~~ and (e),** each member of the board must be an elected
9 official serving on the fiscal body of the taxing unit or the group of
10 taxing units that the individual represents. The board consists of nine
11 (9) members. All members except the county auditor are voting
12 members. However, the county auditor is entitled to vote to break a tie
13 vote.
14 (b) This subsection does not apply to a county containing a
15 consolidated city. For a county having at least two (2) cities, at least
16 two (2) towns, and at least two (2) school corporations, the members of
17 the county board of tax and capital projects review are as follows:
18 (1) ~~One (1) individual~~ **Two (2) individuals** from the county fiscal
19 body.
20 (2) One (1) individual from the fiscal body of the municipality
21 that has the greatest taxable assessed valuation in the county.
22 (3) One (1) individual from the fiscal body of the school
23 corporation that has the greatest taxable assessed valuation in the
24 county.

(4) One (1) individual from the fiscal bodies of the cities within the county, excluding a municipality described in subdivision (2).

(5) One (1) individual from the fiscal body of a school corporation within the county (excluding a school corporation described in subdivision (3)), appointed jointly by the fiscal bodies of the school corporations. The appointment under this subdivision must be made from the fiscal bodies of the school corporations (excluding a school corporation described in subdivision (3)) on a rotating basis determined by the school corporations.

~~(6) One (1) individual from the fiscal bodies of the towns within the county, excluding a town described in subdivision (2):~~

~~(7) (6)~~ Two (2) individuals who are residents of the county and are elected by the voters of the county under IC 3-11-2-12.8.

~~(8) (7)~~ The county auditor.

(c) This subsection does not apply to a county containing a consolidated city. For a county not described in subsection (b), the members of the county board of tax and capital projects review are as follows:

(1) ~~One (1) individual~~ **Two (2) individuals** from the county fiscal body.

(2) One (1) individual from the fiscal body of the municipality that has the greatest taxable assessed valuation in the county.

(3) One (1) individual from the fiscal body of the school corporation that has the greatest taxable assessed valuation in the county.

(4) One (1) individual from the fiscal bodies of the cities within the county, or towns within the county in the case of a county not having any cities. However, a municipality described in subdivision (2) is excluded.

(5) One (1) individual from the fiscal bodies of the school corporations within the county, excluding the school corporation described in subdivision (3), unless that school corporation is the only school corporation within the county. If there is more than one (1) school corporation represented under this subdivision, the appointment under this subdivision must be made from the fiscal bodies of the school corporations (excluding a school corporation described in subdivision (3)) on a rotating basis determined by the school corporations.

~~(6) One (1) individual from the fiscal bodies of the towns within the county. However, a town described in subdivision (2) and a town described in subdivision (4) are excluded.~~

~~(7) (6)~~ Two (2) individuals who are residents of the county and are elected by the voters of the county under IC 3-11-2-12.8.

~~(8) (7)~~ The county auditor.

However, if the county has less than ~~three (3)~~ **two (2)** municipalities, subsection (d), rather than subdivisions ~~(2), (4), and (6), (2) and (4),~~

- 1 governs the selection of members to represent those municipalities.
- 2 (d) If a county is subject to subsection (c) but has less than ~~three (3)~~
- 3 **two (2)** municipalities, ~~the members of the board who represent those~~
- 4 ~~municipalities are determined in the following manner:~~
- 5 ~~(1) If the county has two (2) municipalities, the members~~
- 6 ~~representing those municipalities are two (2) individuals from the~~
- 7 ~~fiscal body of the municipality that has the greatest taxable~~
- 8 ~~assessed valuation; and one (1) individual from the fiscal body of~~
- 9 ~~the other municipality.~~
- 10 ~~(2) If the county has only one (1) municipality, the members~~
- 11 ~~representing that municipality are ~~three (3)~~ two (2) individuals~~
- 12 ~~from the fiscal body of the municipality.~~
- 13 (e) The members of the county board of tax and capital projects
- 14 review in a county containing a consolidated city are as follows:
- 15 (1) One (1) individual appointed by the county executive.
- 16 (2) One (1) member appointed by the fiscal body of the largest
- 17 municipality in the county.
- 18 (3) One (1) individual appointed by the executive of the largest
- 19 municipality in the county.
- 20 (4) One (1) individual appointed jointly by the executives of all
- 21 municipalities in the county (other than the largest municipality
- 22 in the county).
- 23 (5) One (1) individual appointed jointly by the fiscal bodies of all
- 24 municipalities in the county (other than the largest municipality
- 25 in the county).
- 26 (6) The county auditor.
- 27 (7) The fiscal officer of the largest municipality in the county.
- 28 (8) One (1) individual from the fiscal body of the largest school
- 29 corporation in the county.
- 30 (9) One (1) individual appointed jointly by the fiscal officers of
- 31 all municipalities in the county (other than the largest
- 32 municipality in the county). An individual appointed under this
- 33 subdivision must be the fiscal officer of a municipality in the
- 34 county.
- 35 (f) Members of a county board of tax and capital projects review
- 36 shall be appointed or elected as provided in section 2 of this chapter.
- 37 (g) For purposes of Article 2, Section 9 of the Constitution of the
- 38 State of Indiana, membership on a county board of tax and capital
- 39 projects review is not a lucrative office.

- 1 (h) A county board of tax and capital projects review is subject to
- 2 IC 5-14-1.5 and IC 5-14-3."
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1001 as printed January 17, 2008.)

Representative Thompson